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Abortion — Part XVII

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What about the “unwanted” child? What constitutes an “unwanted” child? Who is it that does not want the child? Is it just the mother? Who protects the right of the father to have this child if it is the mother who does not want him? What about the child’s right to be born even if he is not wanted?

What about the “unwanted” child? What constitutes an “unwanted” child? Who is it that does not want the child? Is it just the mother? Who protects the right of the father to have this child if it is the mother who does not want him? What about the child’s right to be born even if he is not wanted?

These are very basic and important questions. There are many women who may not want the pregnancy but, if the pregnancy continues, she does not reject the child when he is born; in fact, most women, who were displeased with the pregnancy, want the child at birth.

There are many women, who experience a slight temporary depression after they learn that they are pregnant. This is particularly true if

they already have some children and may not have been planning on another child at this time. However, this depression is not serious and passes after a short time. It would be a grave mistake to allow them to have an abortion during the period of depression because basically they neither reject the pregnancy nor the child and, yet, if the possibility were present, their depressed thinking might move them to consider an abortion.

What is meant by the “unwanted” child is apparently the decision by the mother that another child would add further burdens and responsibility to what she already has; that another child, at this time, would increase the stress and strain and would complicate the mother’s plans and might add inconvenience to her.

It must be kept clearly in mind that in this type of case, the pregnancy will not endanger the life of the mother and will not impair her physical or mental health. The child is healthy and normal and will not, as far as it is known, be born handicapped or damaged. We have a healthy mother and a normal child. There is enough room in the house for the child. There will not be any economic or financial problem. The child will receive excellent educational, social and job opportunities.

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The only problem is that the birth and rearing of another child at this time will tax the strength and stamina of the mother a little more.

What we are balancing is the right of the unborn fetus to be born and to be given a chance to live alongside the extra stress, strain and inconvenience that will be suffered by the mother. Is there any comparison in the values — right to life compared to right to be free from further stress, strain or inconvenience? When the problem is stripped of all the emotional and hysterical impact and is reduced to its simplest term of comparing two rights — one of which is of greater importance than the other — the only justifiable judgment is the one that prefers the right to life over the convenience of the mother.

There is another important question to consider: How much stress, strain and inconvenience must be present before the mother would be justified in destroying the life of her unborn? How does one measure stress — what is the norm or standard of measurement? Do we have a sufficiently precise guideline that will assist in this measurement. Do we measure the stress of three, five or ten years in the future by the stress that will be objectively present then or by a subjective judgment now as to what you think the stress will be at that time? Unless one is gifted with prophecy, one does not and cannot know the future — how then can one project stress or strain or inconvenience into the future and feel relatively secure that the present judgment of a future unknown will be reliable, accurate and responsible — at least sufficient to justify the present destruction of innocent, unborn human life?

One wonders what such a mother would do, who chooses abortion to relieve herself of further stress, strain or inconvenience, when she is faced with far more serious situation which will tax her strength and energy far more and prove to be far more frustrating, disappointing and traumatic, when there will be no easy and instant solution and no such analogue as abortion that will lessen the stress and strain, there will be no alternative and the woman will be forced to confront the situation head on and seek a proper solution for the situation. Pregnancy is one of the very few situations that admits of an easy and quick solution — not justifiable, not reasonable, not logical — but a solution.

Stress and strain and inconvenience are not usually known to break anyone but they have been known to make stronger, sturdier, more responsible and more mature persons.

We would hope that every child that is born is born wanted and is born into a house that will accept him and give him love, affection and attention and make him feel at home and give him the feeling of security. Every child, I think would want also to be born wanted and be born into the situation and circumstances just described. But if in a given instance, he would be born unwanted or unloved by his family, would he necessarily want not to be born or choose to have his life destroyed by abortion? Would he not prefer to suffer the hardships of rejection and have life than not to be born at all?

If his mother or family may not want him, does that mean that the larger family — society — would not want him? What about the alternative

of adoption by loving parents, who would want him and give him a good home, plenty of love and affection and security and excellent opportunities for a good education and a good life? The mother may not want him but society does. Should he be deprived of the opportunity to be born and to live?

In discussing the "unwanted" child, great care must be taken to ward off the danger that, because the fetus is invisible, he and his rights will be forgotten about or completely ignored. So often, one hears from counselors the very questionable statement that the expectant mother before them is a very real person with possibly a serious problem and the fetus is a non-entity and this because he is not seen. Visible or invisible, the presence of the fetus is very real and his right to be born and to live is ever present and a counselor does disservice to humanity by rejecting his presence or ignoring his rights.

In discussing the "unwanted" child, many relate this to the "battered" child. Authorities in the field of child care inform us that this syndrome constitutes a very serious social problem and is more prevalent than most people would care to know. To place the relationship in proper perspective, it is clear that every "battered child" is not necessarily an "unwanted" child and not every "unwanted" child becomes necessarily a "battered child". Thus, the two cannot logically be discussed together because they are not conterminous one with the other.

No one wants to see a child battered, abused or cruelly treated. This is a nauseating thought for any normal, responsible individual. But is the destruction of the very life of an

unborn infant a greater good and the sign of greater compassion than cruel, bodily treatment? Is the wilful, intended and deliberate termination of the very life of an innocent and defenseless fetus a lesser evil? When did cruel and abusive treatment become a greater moral wrong than the taking of an innocent life? We may have a "battered child syndrome" problem in our midst but Doctor Herbert Rattner terms abortion as the "intra-uterine battered child syndrome."

How does the expectant mother attempt to justify abortion in the situation where she does not want another child? Is it on the basis that she is the only one to be considered? That her convenience or inconvenience is controlling? That her decision is sufficient? The Supreme Court of New Jersey in two separate cases clearly indicated that, where the rights of another living, human person were present and his rights were more important and of greater value, because they were concerned with his right to be born and to live, the rights of the mother were not controlling and her decision was not final.⁵ These two cases concerned the necessity of blood transfusions for the good health of the child and the mother, because of religious beliefs and convictions of conscience, refused to allow the transfusions. This decision is all the more important because the Court, in ordering the transfusions, was in effect violating the religious conscience of an adult and the Court never does that unless an issue of surpassing importance was present — the right of a fetus to be born.

How would the Court rule in a case where there was a balance between the right of the fetus to be born and added stress, strain and inconvenience on the

part of the mother? If the Court would uphold the right of an innocent child to be born even at the risk of violating the conscience of a well-meaning adult, there is no question but, in the less serious situation of stress, strain and inconvenience, the Court would clearly and necessarily reject the decision of the mother to be free of added responsibility and insist on the more important value of the right of the fetus to be born.

A mother's right is not the only right and is not necessarily the greater or more important right. Her judgment and decision is not necessarily the proper one or the controlling one.

Would the expectant mother attempt to justify abortion in the situation on the basis of her right to limit her own fertility and her right to decide what child will be born and what child will not be born?

Parents — not the mother alone — have the right, even the obligation, to be responsible parents. They have a right to determine how many children they should have in accordance with their financial income, their housing accommodations, their ability to raise them properly. Responsible parenthood is restricted and limited to the period before conception, when the presence of human life and the right to be born are not issues.

Once conception has occurred, the right of the parents or the right of the mother to control their fertility or to decide when a child is to be born or is not to be born ceases because, then, the right of the conceived child to be born and to live supersedes and becomes more important than their personal rights. A woman's right to limit her own fertility is recognizable

as a relative and qualified right but not as an absolute right. Her right to decide which child she would give birth to and which one she would reject through abortion should never be achieved at the expense of deliberately destroying innocent human life. The right to life is far more important than the right to control one's fertility and the former must prevail over the latter.

For women to cry that present laws are made by men and men would not understand their feelings, attitudes and problems is completely to beg the question and to side-step the real issue. The question and issue is not who makes the laws or whether or not men can understand; the real issue is, does the fetus have the inalienable right to be born and the inviolate right to live.

In this problem of the "unwanted" child, some take a seemingly callous and indifferent attitude — certainly with respect to the unborn child. They opt for an abortion with the added remark that, at a later date, when and if the woman wants another child, she can always become pregnant again. Presuming, for the moment, that she has not become sterile as a result of the prior abortion, she can become pregnant again. This may satisfy her needs and wishes but what about the child whose life was destroyed by the abortion? He doesn't get another chance to be born again; he had only one opportunity for life and that opportunity was violently removed from him before he could enjoy his great gift.

This is one further indication that, in the discussion of abortion, too much emphasis is placed on the rights of the expectant mother and the rights of the unborn are neglected and ignored.

What about the child that will be born into poverty? Should he be allowed to be born into a situation where he may have inadequate housing, not the most up-to-date clothing, not the best educational and social opportunities? Let it be said that everyone would hope and want every child that is to be born in the future to be born into a family that can provide all the basic necessities and some of the comforts of life. No one wishes to canonize poverty, but it must be admitted that, in the past, many of our great peoples in this country came from humble background and impoverished surroundings and their poverty did not prove to be a handicap. It spurred them on to seek for themselves what their families could not give them and they became stronger, more mature, more responsible, more courageous and more sensitive people by reason of the hardships they had to endure.

What we are balancing here is the basic and fundamental right of a child to be born against the inevitable birth into poverty and hardship. It is our felt intuition that, if a fetus were to be given his choice of being born in poverty or not being born at all, he would surely choose to be born in poverty and that right to be born should not be denied him because of misplaced compassion — how ever well-intended it might be. Poverty is not the greatest evil in the world. The right to be born in comfort and luxury — the right to be well born should never be purchased or achieved at the expense of the deliberate destruction of innocent human life.

Even though being born into an impoverished family may require public assistance in order to provide

the necessities and comforts of life, which might increase our taxes, this present writer does not feel that there are many citizens — so cold-blooded and cold-hearted, so insensitive and so lacking in compassion — who would agree with the remarks of Garret Hardin, a professor of biology, made at the California Conference on Abortion on May 11, 1969: "If the total circumstances are such that the child born at a particular time and under particular circumstances will not receive a fair shake in life, then she (the mother) should know — she should feel in her bones — that she has no right to continue the pregnancy It may seem a rather cold-hearted thing to say, but we should make abortions available to keep down our taxes; but let us not hesitate to say this if such a statement will move legislators to do what they should do anyway. . . . In this field, as in so many others, economic interest and ethical interest fortunately coincide."⁶

Imagine, when human life and the right to be born are at issue, to have the ultimate judgment and decision be made by what you "feel in your bones"!

If we have problems with inadequate income, poverty, sub-standard housing, inadequate food supply, poor educational opportunities, absence of job opportunities — let us marshal all the forces of our society and let our experts in sociology, economics, the environmental sciences conduct research until they find social solutions for social problems. This is the responsible and constructive approach. Let us not try to solve the social problems by removing the problem by death. Let us not try to attack poverty by destroying life. With such a negative, destructive approach, the

problems of poor housing, inadequate food supplies and the absence of educational and social opportunities will still continue but millions of human lives will have been destroyed.

When one speaks about the quality of life and leaves the ultimate determination as to inferiority or superiority, of good quality or bad quality of life to the frail, weak, fallible, human discretion and judgment of man and leaves to him also the final decision as to who can live and who must die, one must necessarily recall that tragic and shameful page in recent human history when Adolph Hitler condemned over seven million Jews to the horrors of Dachau, Buchenwald, Belsen and Auschwitz and when the lives of these millions were snuffed out in the gas chambers or crematoria of these haunting prison camps — merely and solely because Adolph Hitler and his conspirators — in good faith, no doubt — considered them by reason of racial background to be of inferior quality of life. What happened in the Third Reich to innocent born people can never be allowed to happen to innocent, unborn children in our enlightened, cultured, civilized, sophisticated society by justifying the destruction, by abortion, of possibly defective or damaged life.

In this connection, Professor Charles E. Rice of New York states: "When the law presumes to define some persons as being of inferior quality, and therefore disposable, it sanctions a form of oppression wholly inimical to a free society".

Doctor Frank J. Ayd, Jr. a psychiatrist from Baltimore, remarks:

"Those who ignore the mistakes of history are doomed to repeat them. The Romans built a mighty empire. They became as enamored of their material success as modern man is of his. They worshipped a human Trinity of values — material possessions, power and prestige. They glorified beauty, high physical performance and intelligence . . . They exalted the 'quality' of life and not the sanctity of life. . . . Much of their 'progress' was founded on a neglect of or disregard of individuals' rights. As their influence grew, there was a decay of appalling proportions in their moral values . . . For unwanted children there were abortion and infanticide. The aged and infirm often were murdered. As their moral decadence spread like a malignant disease, their empire collapsed."

In the light of all that we have said about the proven presence of human life in the unborn and the value and sanctity of that human life and the right of that human life to be protected from assault or destruction and the obligation of the law and the responsibility of the populace to insure the right of the embryo to be allowed to be born, will the proponents of liberal abortion please explain how they can, in faith and honesty, tell the general public that a perfectly healthy mother should have no obligation to bring to term and to deliver a perfectly healthy baby that will be born in comfortable or luxurious circumstances, have an excellent home, plenty of nourishing food, the finest in educational opportunities and the very best in social and professional opportunities — merely because she does not want another child? This is exactly what they are saying. Can these same proponents

explain how and why this same woman can be justified in destroying and exterminating the defenseless, innocent unborn life of her child merely to safeguard and cater to her own personal comfort, leisure and convenience because this is the message which they are endeavoring to sell to you and to me? While granting that a woman has some control over her own fertility, she is not justified in achieving this control by destroying the life of an innocent child.

Life in the womb has been created by God; it is precious; it has a value and an importance all its own — apart from its state of health, independent of the circumstances into which it will be born, separate from the convenience and comfort of its mother and distinct from her wanting it or not wanting it to be born. Life in the womb must be respected and honored;

its right to continue in existence must be protected; its inalienable right to be born must be safeguarded. No one — not even a well-meaning physician — should be allowed to invade the uterine cavity for any reason — however weighty and serious — and snuff out, terminate, annihilate or destroy that human life. The responsibility for the achievement and assurance of all of this lies with you and with me, with all intelligent, cultured, civilized persons, with the community and society, with government, with courts and, above all, with the law.

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